

RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILMEMBERS TARKANIAN and ROSS

Also Present: DEPUTY CITY MANAGER STEVE HOUCHENS, CHIEF DEPUTY CITY ATTORNEY VAL STEED and DEPUTY CITY CLERK GABRIELA PORTILLO-BRENNER

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

ANNOUNCEMENT MADE - meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Bulletin Board, City Hall Plaza (next door to Metro Records)

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:03)

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2006-3 - ABEYANCE ITEM - Amends the time-lines for filing and hearing a work card appeal and repeals the dual filing requirements for a written notice of appeal. Proposed by: Mark R. Vincent, Director of Finance and Business Services

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill repeals the requirement that written notices of work card appeals be filed with both Metro and the City Clerk and instead requires that they only be filed with the City Clerk. The time for filing work card appeals will be shorten from thirty days to ten days, which then must be heard by the City Council within forty-five days of the filing of the notice of appeal under the proposals of this bill.

RECOMMENDATION:

The 1/17/2006 Recommending Committee held this bill in abeyance to the 2/28/2006 Recommending Committee meeting.

BACKUP DOCUMENTATION:

Bill No. 2006-3

MOTION:

COUNCILMAN ROSS recommended Bill 2006-3 be held in ABEYANCE to the 4/04/2006 Recommending Committee meeting. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

JIM DiFIORE, Manager, Business Services, requested this matter be held until the first Recommending Committee meeting in April. MR. DiFIORE would like to meet with representatives from Clark County and the Las Vegas Metropolitan Police Department (Metro), in an attempt to standardize the work card codes.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:03 - 4:05)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2006-7 - Authorizes the issuance of a registered local improvement district bond, Series 2006, for an amount not to exceed \$850,000.00 for Special Improvement Districts 1487 - Jones Boulevard (Beltway to Elkhorn Road) and 1503 - Durango-Tropical to Centennial (S-Curve). Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In accordance with the Nevada Consolidated Local Improvements Law (NRS Chapter 271), the City intends to issue a registered local improvement district bond in connection with the acquisition of public improvements for property that is subject to Special Improvement Districts 1487 and 1503. The principal amount of the bond will not exceed \$850,000.00, will be used to pay off interim warrants, and will not constitute a debt of the City.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2006-7

MOTION:

COUNCILMAN ROSS recommended Bill 2006-7 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, indicated that Council has already approved the Special Improvement Districts (SIDs). The SIDs are being financed through short-term bank notes, which are referred to as interim warrants. Now that construction is complete, staff would like to replace the interim warrants with permanent financing. An approval would give staff the authority to issue the \$850,000 bond for both of the subject SIDs.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:05 - 4:06)

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AGENDA SUMMARY PAGE**RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2006-8 - Amends Ordinance No. 5798 to delegate to the Finance Director the authority to fix the interest rate on the unpaid and deferred installments of assessments for Special Improvement District No. 1487 - Jones (Beltway to Elkhorn). Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact:☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Senate Bill 411, adopted during the 2005 Session of the Nevada Legislature, authorizes the City Council to delegate to the City's Finance Director the authority to fix the interest rate for special improvement district (SID) assessments. This bill will accomplish that delegation for SID No. 1487.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2006-8

MOTION:

COUNCILMAN ROSS recommended Bill 2006-8 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, noted that Bill No. 2006-7 allows the issuance of the bonds. He then explained that when the bonds are issued, the interest rates will be known. By law, a one percent administrative fee can be imposed on any of the bonds, in addition to the highest interest rate applied. Under SB411, Council has the authority to delegate to MR. VINCENT the task of applying the interest rate after the bond sale without having to appear before Council. MR. VINCENT respectfully requested approval.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:06 - 4:08)

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2006-9 - Amends Ordinance No. 5799 to delegate to the Finance Director the authority to fix the interest rate on the unpaid and deferred installments of assessments for Special Improvement District No. 1503 - Durango-Tropical to Centennial (S-Curve). Proposed by: Mark Vincent, Director of Finance and Business Services

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Senate Bill 411, adopted during the 2005 Session of the Nevada Legislature, authorizes the City Council to delegate to the City's Finance Director the authority to fix the interest rate for special improvement district (SID) assessments. This bill will accomplish that delegation for SID No. 1503.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2006-9

MOTION:

COUNCILMAN ROSS recommended Bill 2006-9 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

MARK VINCENT, Director, Finance and Business Services, stated that the comments made under Item 3 also apply to this item.

NOTE: See Item 3 for all related discussion.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:08 - 4:09)

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RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2006-10 - Annexation No. ANX-10266 - Property location: At 4584 Madre Mesa Drive; Petitioned by: TMF Investments, LLC; Acreage: 2.51 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Lawrence Weekly

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located at 4584 Madre Mesa Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (March 24, 2006) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2006-10 and Location Map

MOTION:

COUNCILMAN ROSS recommended Bill 2006-10 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED said this item involves a routine annexation that was petitioned by the property owner. It is in order and recommended for approval.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:09 - 4:10)

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RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT**

☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2006-11 - Authorizes, on a limited basis, the suspension of zoning and licensing requirements in certain emergency situations. Sponsored by: Councilman Steve Wolfson

Fiscal Impact:

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will authorize, on a limited basis, the suspension of zoning and licensing requirements in certain emergency situations. The intent is to remove regulatory obstacles that might stand in the way of providing needed goods and services in emergencies. The authority made available under this bill will be subject to specific limitations, including a requirement that the City Council ratify any action taken.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2006-11
2. Business Impact Statement

MOTION:

COUNCILMAN ROSS recommended Bill 2006-11 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED referenced an issue that was discussed at a previous Council meeting relative to a mental health facility being placed in Ward 5, as there was an emergency situation to provide beds for individuals in need of the facility. Although the zoning code in place at that time did not permit this, it was discovered that the Planning and Development Director had the discretion to allow for the facility. Thereafter, Council and the Emergency Management Committee requested an ordinance that would allow, under certain circumstances, the City to waive or suspend the zoning and licensing requirements for a limited period of time. Such circumstances can include a disaster emergency declared by local officials or a situation where it is deemed necessary to protect life, property or public safety and welfare. The Mayor, the City Manager or his designee would have the authority to suspend the zoning or licensing requirements on a limited basis and would have to then be brought back to Council for ratification at the next available meeting. The proposed ordinance is recommended for approval.

No one appeared in opposition.

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MINUTES - Continued:

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:10 - 4:13)

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AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2006-12 - Adjusts the business license fees, in conformance with State law, of businesses offering services by certain professionals. Proposed by: Mark Vincent, Director, Department of Finance and Business Services

Fiscal Impact:☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

SB 218, enacted during the 2005 Session of the Legislature, prohibits the City from imposing business license requirements on certain professional persons who receive compensation as employees for their professional services. In compliance with SB 218, this Ordinance proposes to change the City's current licensing scheme to require that businesses offering professional services by professional employees referenced in SB 218 (professional business) pay an annual license fee based on the number of professional employees employed to perform such services versus requiring that each professional employee have a separate business license. The annual business license fee being proposed for a professional business is \$200 for the first professional employee and \$150 for each additional professional employee.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2006-12

MOTION:

COUNCILMAN ROSS recommended Bill 2006-12 be forwarded to the Full Council with a "DO PASS" recommendation. COUNCILWOMAN TARKANIAN concurred.

MINUTES:

COUNCILWOMAN TARKANIAN declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that at the last legislative session, a bill was passed which prohibits local governments from licensing, for fee purposes, certain types of professionals who act as employees or principals of businesses. The compromise was that the City could adjust its licensing scheme to charge per employee.

JIM DiFIORE, Manager, Business Services, explained that the intent of the proposed bill is to license a firm and account for each professional that is licensed with a State regulatory body in that firm as essentially a unit of that particular licensed firm. Rather than having multiple licenses, the proposed bill would reduce the licensing scheme to one license for 25 employees within that firm. City of Las Vegas,

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 28, 2006

MINUTES - Continued:

Clark County and City of Henderson staff met to discuss the impact of Senate Bill 218, and a licensing scheme was devised in each of these entities to license the first professional at the current rate of \$200 annually. Each professional accounted for thereafter would be licensed at \$150 annually. Although this may appear to reduce the revenue that is generated from licensed professionals, compensation would take place with agents working in the mortgage, escrow and nursing industries, which are not presently licensed. MR. DiFIORE requested approval of the proposed bill.

MR. DiFIORE clarified for COUNCILWOMAN TARKANIAN that the fee would be paid by the clinic itself and is under one license. He also explained to COUNCILMAN ROSS that the burden of whether or not the doctor is meeting State regulations to be licensed in the state of Nevada is upon the Nevada Medical Board. However, the burden of knowing the correct number of individuals considered for licensing purposes will be upon the Business Services Department. In addition, staff has licensed officers in the field that conduct unit audits.

COUNCILMAN ROSS expressed great concern for proper checks and balances, particularly for medical professionals, when it comes to fraudulent activities. There are individuals claiming to be doctors, which could place the primary doctor in jeopardy of losing the license. He also questioned if the Business Services Department had any jurisdictional authority to revoke licenses. MR. DiFIORE agreed and added that, should any license not be valid, the information is reported to the Nevada Medical Board for investigation, since they are the regulatory body.

CHIEF DEPUTY CITY ATTORNEY STEED interjected that this bill does not alter any relationship between the doctors and the medical board. COUNCILMAN ROSS felt that, because the City is a licensing body, it has the authority to revoke a business license if any violations occur. This would prohibit individuals from operating their businesses. MR. DiFIORE pointed out a provision within the general licensing title that offers grounds for disciplinary action, which includes revocation of a business license that is in non-compliance with Federal, State or local laws.

No one appeared in opposition.

COUNCILWOMAN TARKANIAN declared the Public Hearing closed.

(4:13 - 4:23)

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AGENDA SUMMARY PAGE

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CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

None.

(4:23)

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THE MEETING ADJOURNED AT 4:23 P.M.

Respectfully submitted:

Gabriela Portillo-Brenner, Deputy City Clerk
March 8, 2006